

Regular Session, 2011

HOUSE BILL NO. 608

BY REPRESENTATIVES FANNIN AND TUCKER AND SENATORS MICHOT AND
CHAISSON

APPROPRIATIONS: Appropriates funds for the expenses of the Louisiana Judiciary for
Fiscal Year 2011-2012

1 AN ACT

2 To appropriate funds to defray the expenses of the Louisiana Judiciary, including the
3 Supreme Court, Courts of Appeal, District Courts, Criminal District Court of Orleans
4 Parish, and other courts; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1.A. The sum of One Hundred Sixty-Four Million One Hundred Seventy
7 Seven Thousand Four Hundred Fifty-Eight and No/100 (\$164,177,458.00) Dollars, or so
8 much thereof as may be necessary, is hereby appropriated to defray the expenses of the
9 judiciary, including the Supreme Court, Courts of Appeal, the District Courts, the Criminal
10 District Court of Orleans Parish, and of the other courts.

11 B. The total amount herein appropriated is hereby allocated to provide as follows:

12 **03-8170 SUPREME COURT**

13 **Program Description:** *The Supreme Court has general supervisory jurisdiction over all lower courts.*
14 *It may establish procedural and administrative rules not in conflict with law and may assign a sitting or*
15 *retired judge to any court. The Supreme Court has sole authority to provide by rule for appointments of*
16 *attorneys as temporary or ad hoc judges. It considers applications for writs to review individual cases,*
17 *and has criminal and other appellate jurisdiction. The Supreme Court has exclusive original jurisdiction*
18 *of disciplinary proceedings against lawyers, recommendations of the Judiciary Commission of Louisiana*
19 *for the discipline of judges, and fact questions affecting its appellate jurisdiction. It has inherent authority*
20 *to regulate the legal profession and to promulgate and update the Code of Judicial Conduct. The court*
21 *also provides judicial training through the Judicial College and works to improve the administration of*
22 *justice.*

23 **Mission Statement:** *The mission of the Supreme Court of Louisiana is to protect and*
24 *promote the rule of law, to ensure public trust, to use public resources efficiently, to*
25 *ensure the highest professional conduct, integrity, and competence of both the bench*
26 *and the bar, and to ensure the proper administration and performance of all courts*
27 *under its authority.*

28 **Goal:** To protect the rule of law.

29 **Objective:** To provide a reasonable opportunity for litigants to seek review in the
30 Supreme Court of decisions made by lower tribunals.

General Performance Information:

	2008	2009	2010
Total Filings	3,014	2,780	2,875
Total Appeals Filed	15	14	9
Total Writs Filed	2,843	2,564	2,674
Total Depositions Rendered	2,834	2,801	2,736

Goal: To promote the rule of law.

Objective: To resolve cases in a timely manner.

General Performance Information:

	2008	2009	2010
Percentage of noncriminal case applications acted on within Supreme Court standard of 120 days of filing	91.4%	92.2%	90.9%
Percentage of criminal case applications acted on within Supreme Court standard of 120 days of filing	35.4%	38.2%	39.9%
Percentage of pro se post conviction applications acted on within Supreme Court standard of 120 days of filing	35.3%	11.8%	7.7%
Percentage of bar disciplinary filings acted upon within Supreme Court standard of 120 days of filing	70.5%	76.5%	75.6%
Percentage of opinions rendered within Supreme Court standard of 84 days from argument	74.4%	81.3%	83.7%

Goal: To ensure the public trust.

Objective: To facilitate public access to Supreme Court decisions.

General Performance Information:

	2008	2009	2010
Percentage of written opinions available to the public within 5 days of decision	100%	100%	100%

Objective: To inform the public of operations and activities.

General Performance Information:

	2008	2009	2010
Number of outreach programs	59	67	51
Number of media releases on court decisions	82	81	87
Number of media releases on other matters	26	26	22
Number of recipients of releases on court decisions	60	1,103	1,219
Number of recipients of releases on other matters	5,155	5,144	5,806

Objective: To ensure the highest professional conduct, integrity, and competence of the bench.

General Performance Information:

	2008	2009	2010
Average number of hours acquired through continuing legal education per judge	34.19	34.96	27.19
Number of complaints filed against judges and justices of the peace	818	664	586
Number of complaints against judges and justices of the peace resolved or disposed of in the calendar year	563	690	526

Objective: To ensure the highest professional conduct, integrity, and competence of the bar.

General Performance Information:

	2008	2009	2010
Average number of hours acquired through continuing legal education per lawyer	15.48	15.03	15.04
Number of complaints filed against lawyers	3,101	3,168	3,240
Number of complaints filed against lawyers resolved or disposed of in calendar year	3,201	3,105	3,565

1 Payable out of the State General Fund (Direct):

2 01 Salaries of one (1) Chief Justice and six (6)
3 Associate Justices of the Supreme Court,
4 as provided by R.S. 13:102 \$ 970,480

5 02 Salaries and other expenses of the
6 Supreme Court Proper and salary of
7 the Crier of the Supreme Court \$ 10,384,811

8 03 Expenses of Judicial Administrator's
9 Office and of the Judiciary Commission
10 provided for in Article V, Section
11 25 of the Constitution of Louisiana and
12 under the provisions of R.S. 13:32 et seq.

13 A. Expenses of Judicial Administrator's Office \$ 4,580,957

14 **Program Description:** *The Judicial Administrator's Office assists the Supreme Court in the*
15 *administration of the state court system. It staffs the Judicial Council and the Judiciary Commission of*
16 *Louisiana. Through the Judicial Council, it performs studies and makes recommendations for the creation*
17 *of new judgeships and for improving the administration of justice. The Judicial Administrator's Office*
18 *provides payroll and other fiscal services to the Judiciary, including the administration of a judicial*
19 *retirement system, and support for the Supreme Court and Appellate Court human resource system. The*
20 *Judicial Administrator's Office provides technological services to courts and manages the Trial Court*
21 *Case Management Information System. It also manages the ad hoc judgeship system, and monitors cases*
22 *under advisement. The Judicial Administrator's Office provides outreach services to state and local*
23 *courts, staffs the Committee on Judicial Ethics, and performs numerous legal services for the Supreme*
24 *Court and the Judiciary.*

25 B. Expenses of Judiciary Commission \$ 1,905,335

26 **Program Description:** *The Judiciary Commission of Louisiana is a constitutional body established under*
27 *Article V, Section 25 of the Constitution of 1974 to accept, screen, investigate, and prosecute complaints*
28 *of judicial misconduct. As part of its authority, it may recommend to the Supreme Court the censure,*
29 *suspension, removal from office, or involuntary retirement of any judge for ethical misconduct.*

30 C. Court Reporters as required by R.S. 13:981 \$ 340,104

31 D. Dues to National Center for State Courts \$ 138,829

32 04 Expenses of Committee on Professional
33 Ethics and Grievances including
34 disbarment proceedings, R.S. 37:211 et seq. \$ 3,000

35 05 Compensation and expenses of retired
36 judges assigned under Article V,
37 Section 5(A) of the Constitution of
38 Louisiana, be it more or less estimated at \$ 1,522,221

39 06 Law Library of Louisiana for salaries
40 services, supplies, maintenance, repairs,
41 and equipment \$ 1,863,614

42 **Program Description:** *The Law Library of Louisiana was created by an Act of the Legislature in 1855*
43 *to serve the legal information needs of the public, the state judiciary, and the bar.*

44 07 Salaries and expenses of transferred
45 judges assigned under Article V,
46 Section 5(A) of the Constitution,
47 be it more or less estimated as \$ 382,600

1	08	Retirement pay for services rendered by	
2		justices and judges of all courts, as	
3		provided by R.S. 11:1358 and	
4		R.S. 13:103	\$ 1,451,893
5	09	Pensions for widows of justices and	
6		judges of all courts, as provided by	
7		R.S. 11:1371 and R.S. 11:1381, be it	
8		more or less estimated as	\$ 1,609,481
9	10	Judicial College	\$ 219,021
10	Program Description: <i>The Judicial College was established by order of the Supreme Court in 1976 to</i>		
11	<i>provide continuing legal education to Louisiana judges.</i>		
12	11	State contribution to judicial	
13		retirement provided for in Article V,	
14		Section 23 of the Constitution and	
15		R.S. 11:551 et seq., be it more or	
16		less estimated ad	\$ 12,234,761
17	12	Civil commitment matters as	
18		required by R.S. 28:54	\$ 160,640
19	13	Paul M. Hebert Law Center for the expenses	
20		of storage of appellate court records	\$ 60,000
21	14	Funding for statewide operations of the	
22		Louisiana Protective Order Registry	
23		(R.S. 46:2136.2) under the Case	
24		Management Information System	\$ 1,268,698
25	15	Payable out of the State General Fund for the	
26		expenses associated with the operation of the	
27		Families in Need of Services Program (FINS)	\$ 2,020,233
28	Program Description: <i>The mission of the FINS Assistance Program is to assist local FINS processes by</i>		
29	<i>developing and implementing a needs-based allocation formula; developing, implementing, and mandating</i>		
30	<i>the use of a uniform data system for tracking, managing, and reporting FINS informal cases; developing</i>		
31	<i>and mandating the use of programmatic standards; developing, implementing, and reporting performance</i>		
32	<i>indicators and measures; requiring and monitoring periodic fiscal reports and financial accountability;</i>		
33	<i>and, generally supervising and assisting local FINS processes in other ways.</i>		
34	16	Drug court maintenance and enhancement	\$ 17,221,417
35	Program Description: <i>Drug treatment courts, authorized in 1977 by R.S. 13:5301 through R.S. 13:5304,</i>		
36	<i>provided integrated substance abuse treatment, sanctions, and incentives with case processing to place</i>		
37	<i>low-level, nonviolent drug-involved defendants in community-based, judicially supervised rehabilitation</i>		
38	<i>programs. Clients are regularly tested and monitored for compliance with educational, employment, and</i>		
39	<i>treatment requirements set by the court.</i>		
40	17	Court Appointed Special Advocates	<u>\$ 7,162,813</u>
41	Program Description: <i>The purpose of the CASA Assistance Program is to promote timely placement of</i>		
42	<i>children in need of care in permanent, safe and stable homes, in accordance with the provisions of</i>		
43	<i>Children's Code articles 424-426. Services are provided through local CASA programs which recruit,</i>		
44	<i>screen, train and supervise community advocates. Upon appointment by the trial judge, qualified</i>		
45	<i>advocates serve children by providing independent factual information to the judge, advocating for the best</i>		
46	<i>interest of the children, monitoring cases to which they have been assigned, and advising and assisting the</i>		
47	<i>judge in the determination of the best interest of the children involved.</i>		
48	TOTAL - GENERAL FUND		<u>\$ 65,500,908</u>

1	Objective: To resolve case expeditiously.			
2	General Performance Information:			
3		2008	2009	2010
4	<i>Average number of days from lodging of the</i>			
5	<i>appeal to argument:</i>			
6	<i>Time Standard = no more than 175 days.</i>			
7	<i>Criminal cases</i>	145	150	145
8	<i>Civil Cases</i>	140	147	159
9	<i>Total</i>	142	148	152

10	<i>Average number of days from argument to</i>			
11	<i>rendering of the opinion:</i>			
12	<i>Time Standard = no more than 70 days.</i>			
13	<i>Criminal cases</i>	37	37	39
14	<i>Civil cases</i>	43	39	37
15	<i>Total</i>	40	38	38

16 **Goal:** To preserve public trust.

17	Objective: To facilitate public access to the decisions of the courts of appeal.			
18	General Performance Information:			
19		2008	2009	2010
20	<i>Percentage of written opinions available</i>			
21	<i>to the public within 5 days of decision</i>	100%	100%	100%

22 Payable out of the State General Fund:

23	01	Salaries of five (5) Chief Judges		
24		and forty-eight (48) Judges of		
25		the Courts of Appeal, R.S. 13:311	\$	6,949,328
26	02	Salaries and expenses of operation and		
27		maintenance of the Court of Appeal,		
28		First Circuit	\$	9,621,819
29	03	Salaries and expenses of operation and		
30		maintenance of the Court of Appeal,		
31		Second Circuit	\$	5,433,784
32	04	Salaries and expenses of operation and		
33		maintenance of the Court of Appeal,		
34		Third Circuit	\$	8,256,916
35	05	Salaries and expenses of operation and		
36		maintenance of the Court of Appeal,		
37		Fourth Circuit	\$	7,583,727
38	06	Salaries and expenses of operation and		
39		maintenance of the Court of Appeal,		
40		Fifth Circuit	\$	5,634,960
41	TOTAL COURTS OF APPEAL			\$ 43,480,534

42 **03-8172 DISTRICT COURTS**

43 **Program Description:** *There are forty-one district courts in Louisiana that have general jurisdiction over*
44 *all matters within their territorial limits, except in those judicial districts (the 1st, the 19th, and the 24th*
45 *Judicial Districts) where family and juvenile courts have exclusive jurisdiction over certain types of cases*
46 *and except in Orleans Parish where there are separate courts exercising civil, criminal, and juvenile*
47 *jurisdictions, respectively. In certain cases, the forty-one general jurisdiction courts have concurrent*
48 *jurisdiction with justices of the peace and parish courts. The district courts generally have appellate*
49 *jurisdiction of criminal cases tried by city, parish, municipal, traffic, and mayors' courts, except in certain*
50 *cases. The district courts also have appellate jurisdiction over justices of the peace in parishes where no*
51 *parish courts exist. The Civil District Court of Orleans Parish has jurisdiction of all civil cases in that*
52 *parish. The Criminal District Court of Orleans Parish has jurisdiction over all criminal cases in the*
53 *parish. It also has general supervisory jurisdiction over the municipal and traffic courts in Orleans*
54 *Parish. The Family Court of East Baton Rouge Parish has exclusive jurisdiction of many domestic cases*
55 *in the parish. The four juvenile courts located in Caddo, East Baton Rouge, Jefferson, and Orleans*
56 *parishes have exclusive jurisdiction of juvenile cases in their respective parishes.*

Mission Statement: *The mission of the trial courts of Louisiana is to provide access to justice, to meet all responsibilities in a timely and expeditious manner, to provide equality, fairness, and integrity in their proceedings, to maintain judicial independence and accountability, and to reach a fair and just result by adherence to the procedural and substantive law, thereby instilling trust and confidence in the public.*

Goal: To establish a more open and accessible system of justice.

Objective: To encourage responsible parties to make court facilities safe, accessible, and convenient.

General Performance Information:

	2008	2009	2010
Percentage of surveyed district court chief judges indicating actions taken in FY 2009-2010 to improve compliance with the Americans with Disabilities Act (ADA)	74.5%	93.5%	89.6%

Objective: To encourage all responsible public bodies and public officers to make the costs of access to the trial court's proceedings and records - whether measured in terms of money, time, or the procedures that must be followed - reasonable, fair, and affordable.

General Performance Information:

	2008	2009	2010
Percentage of surveyed district court chief judges indicating actions taken in FY 2009-2010 to assist pro se litigants	95.7%	100%	100%

Goal: To meet all responsibilities to everyone affected by the court and its activities in a timely and expeditious manner.

Objective: To encourage timely case management and processing.

General Performance Information:

	2008	2009	2010
Number of parishes reporting criminal disposition data to CMIS	59	55	62
Percentage of parishes reporting criminal disposition data to CMIS	92%	85.9%	96.9%
Percentage of surveyed district court chief judges indicating that their courts had taken steps within FY 2009-2010 to reduce delays and improve the timeliness of case processing	95.7%	97.9%	97.9%

Objective: To enhance jury service.

General Performance Information:

	2008	2009	2010
Percentage of surveyed district court chief judges indicating that their court had taken steps within FY 2009-2010 to make jury service more convenient or effective	76.2%	100%	97.7%

Goal: To provide due process and equal protection of the law to all who have business before the court; and to demonstrate integrity in all procedures and decisions.

Objective: To recognize new conditions or emerging events and to adjust court operations as necessary.

General Performance Information:

	2008	2009	2010
Percentage of surveyed district court chief judges indicating actions taken in FY 2009-2010 to improve employee training and development	89.4%	100%	87.5%
Percentage of surveyed district court chief judges indicating actions taken in FY 2009-2010 to install or implement technologies	91.5%	97.9%	95.8%

Goal: To maintain judicial independence, while observing the principle of comity in its governmental relations and accountability to the public.

Objective: To inform the community of the court's structure and function.

General Performance Information:

	2008	2009	2010
Percentage of surveyed district court chief judges indicating that their courts regularly provided public education and public outreach services in FY 2009-2010	100%	97.9%	97.9%

1	Payable out of the State General Fund:		
2	01	Salaries of one hundred ninety-one	
3		(191) District Judges as provided	
4		by R.S. 13:691	\$ 23,787,827
5	02	Office and travel expenses of District	
6		Judges as provided by R.S. 13:694	\$ 1,292,600
7	03	Salaries of fourteen (14) Judges of	
8		Civil District Court, Orleans Parish,	
9		as provided by R.S. 13:691	\$ 1,743,611
10	04	Expenses of Judges of Civil District	
11		Court, Parish of Orleans, for salaries	
12		of stenographers, clerks, law books,	
13		stationery, telephone, and like expenses	
14		as provided by R.S. 13:694	\$ 78,400
15	05	Salaries of two (2) Court Reporters	
16		of the Twentieth Judicial District Court,	
17		including retirement contributions, as	
18		provided by R.S. 13:966.1	\$ 105,805
19	06	Clerk of Civil District Court, Orleans	
20		Parish, as provided by R.S. 13:1212(A)	\$ 10,000
21	07	State share of Group, Workers'	
22		Compensation, General Liability,	
23		and Property Insurance Premiums	
24		as provided by R.S.42:851	\$ 5,869,931
25	08	Salaries of two (2) commissioners of	
26		the Nineteenth Judicial District and	
27		one (1) commissioner of the Fifteenth	
28		Judicial District as provided by	
29		R.S. 13:712 and R.S. 13:715,	
30		respectively	\$ 467,482
31	09	Office expenses for the Judicial	
32		Expense Fund of the Nineteenth Judicial	
33		District Court as provided by	
34		R.S. 13:711-713	\$ 432,828
35	10	Office expenses for the Judicial	
36		Expense Fund of the Fifteenth	
37		Judicial District Court as provided	
38		by R.S. 13:714-716	\$ 275,315
39	11	Law Clerk, Twentieth Judicial District	
40		Court as provided by Act 747 of 1977	\$ 44,283
41	12	For the expenses of the Judicial Expense	
42		Fund, Tenth Judicial District Court as	
43		provided by Act 57 of 2006	\$ 35,000
44			
45	SUBTOTAL		\$ 34,143,082

1 13 Criminal Court - Parish of Orleans

Program Description: *The Criminal District Court for the Parish of Orleans has exclusive jurisdiction of the trial and punishment of all crimes, misdemeanors, and offenses committed within the parish of Orleans, if the jurisdiction is not vested by law in some other court. The court, through its magistrate and with assistance from its commissioners, has the power of committing magistrates in all felony charges and the power to hold preliminary examinations, with authority to bail or discharge, or to hold for trial, in all cases before the court. The court has appellate jurisdiction of all cases tried before the Municipal Court of New Orleans and the Traffic Court of New Orleans and has general supervisory jurisdiction over these courts.*

10	A. Salaries of thirteen (13) District Judges of	
11	Criminal Court, Orleans Parish as provided	
12	by R.S. 13:691	\$ 1,619,067

13	B. Office expenses of Judges of Criminal Court,		
14	Orleans Parish and the state's share of group		
15	insurance for the personnel of Criminal Court as		
16	provided by R.S. 13:694 and R.S. 42:851, respectively	\$	664,642

17	C. Salaries of thirteen (13) minute clerks as provided		
18	by R.S. 13:1373.1	\$	260,814

19	D. Salaries of twenty-six (26) court reporters as		
20	provided by R.S. 13:1373.1	\$	412,187

21	E. Salaries of four (4) commissioners of Criminal		
22	Court, Orleans Parish, including related benefits		
23	as provided by R.S. 13:1347	\$	396,365

24	F. Office and travel expenses of commissioners as		
25	provided by R.S. 13:1347	\$	10,000

26	G. Salaries of four (4) minute clerks, one for each		
27	commissioner as provided by R.S. 13:1347	\$	66,895

28	H. Salaries of four (4) court reporters, one for each		
29	commissioner as provided by R.S. 13:1347	\$	50,430

30	I. Salaries of Judicial Administrator, and assistants,	
31	including related benefits	\$ 876,768

32	J. Salaries of thirteen (13) law clerks	\$ 694,872
----	---	------------

33	K. Salaries of four (4) secretaries	\$	193,890
----	-------------------------------------	----	---------

34	L. Sanity Commissions	\$	163,956
----	-----------------------	----	---------

35	M. Board of Jury Commissioners	\$ 355,637
----	--------------------------------	------------

36	SUBTOTAL	\$ 5,765,523
----	----------	--------------

37 14 Juvenile and Family Court Judges

38	A. Salaries of fourteen (14) Juvenile Court	
39	Judges as provided by R.S. 13:691	\$ 1,743,611

40	B. Salaries of four (4) Family Court Judges		
41	as provided by R.S. 13:691	\$	498,175

1	C. Office expenses of Juvenile and Family	
2	Court Judges as provided by R.S. 13:694	\$ 100,800
3	SUBTOTAL	\$ 2,342,586
4	TOTAL DISTRICT COURTS	\$ 42,251,191

03-8173 OTHER COURTS - SALARIES AND OFFICE EXPENSES AS REQUIRED BY STATUTE

Program Description: The category includes forty-seven city courts, one municipal court (New Orleans), one traffic court (New Orleans), and one parish court (Ascension Parish).

Mission Statement: The mission of the city and parish courts of Louisiana is to provide access to justice, to meet all responsibilities in a timely and expeditious manner, to provide equality, fairness and integrity in their proceedings, to maintain judicial independence and accountability, and to reach a fair and just result by adherence to the procedural and substantive law, thereby instilling trust and confidence in the public.

Goal: To establish a more open and accessible system of justice.

Objective: To encourage all responsible public bodies and public officers to make the costs of access to the court's proceedings and records - whether measured in terms of money, time, or the procedures that must be followed - reasonable, fair, and affordable.

General Performance Information:	2008	2009	2010
Percentage of surveyed city/parish court chief judges indicating actions taken in FY 2009-2010 to assist pro se litigants	91.2%	98.1%	100%

Goal: To meet all responsibilities to everyone affected by the court and its activities in a timely and expeditious manner.

Objective: To encourage timely case management and processing.

General Performance Information:	2008	2009	2010
Percentage of surveyed city/parish court chief judges indicating that their courts had taken steps within FY 2009-2010 to reduce delays and improve the timeliness of case processing	88%	94.2%	88.5%

Goal: To maintain judicial independence, while observing the principle of comity in its governmental relations and accountability to the public.

Objective: To inform the community of the court's structure and function.

General Performance Information:	2008	2009	2010
Percentage of surveyed city/parish court chief judges indicating that their courts regularly provided public education and public outreach services in FY 2009-2010	95.9%	94.2%	94.2%

Objective: To recognize new conditions or emerging events and to adjust court operations as necessary.

General Performance Information:	2008	2009	2010
Percentage of surveyed city/parish court chief judges indicating actions taken in FY 2009-2010 to improve employee training and development	88%	92.3%	94.2%
Percentage of surveyed city/parish court chief judges indicating actions taken in FY 2009-2010 to install or implement technologies	86.3%	94.2%	88.5%

Payable out of the State General Fund:

01	Salaries of sixty (60) City Court Judges as provided by R.S. 13:1875	\$ 2,412,714
----	--	--------------

1 02 Salaries of four (4) Municipal, four (4)
 2 Traffic and one (1) Parish Court
 3 Judges as provided by R.S. 13:2492,
 4 13:2501.1, and 13:2563.5, respectively \$ 389,156

5 TOTAL OTHER COURTS REQUIRED BY STATUTE \$ 2,801,870

6 **03-8174 OTHER COURTS - SALARIES AND OFFICE EXPENSES NOT**
 7 **REQUIRED BY STATUTE**

8 Payable out of the State General Fund:

9 01 Orleans Parish Juvenile Protective
 10 Care Monitoring Program \$ 527,249

11 **Program Description:** *The program tracks and maintains child abuse and neglect cases in the Orleans*
 12 *Parish Juvenile Court. It also provides assistance in support of the Families in Need of Services Program.*

13 02 Orleans Parish Juvenile Court Reporters \$ 88,055

14 03 For the expenses of the Judges'
 15 Assistance Program \$ 30,000

16 **Program Description:** *The Judges' Assistance Program provides counseling and other assistance to judges*
 17 *with substance abuse problems.*

18 TOTAL OTHER COURTS NOT REQUIRED BY STATUTE \$ 645,304

19 Section 2.A. The Chief Justice of the Supreme Court, or her duly authorized and
 20 appointed agent, shall warrant the state treasurer for the allocations herein provided, or for
 21 so much thereof as may be necessary. The aforesaid warrant shall be paid out of the state
 22 general fund, and the state treasurer shall pay said warrant by preference over all other
 23 warrants, except warrants for the salaries of constitutional officers of the state and warrants
 24 for expenses of the legislature, which shall be concurrent with the warrant provided by this
 25 Act.

26 B. The funds drawn as provided herein shall be deposited in the name of the judiciary in
 27 an approved bank that has been selected by the Supreme Court and is located in the state.

28 C. Any funds herein allocated to the judiciary, any portion of the funds previously
 29 appropriated to the judiciary, other revenue of the judiciary or its agencies, and interest
 30 earnings are hereby appropriated and may be used to defray the expenses of the judiciary;
 31 however, all funds remaining unexpended or unencumbered shall be returnable to the state
 32 general fund on or before September 1, 2012.

33 D. For Fiscal Year 2011-2012, any surpluses occurring in the appropriations made in this
 34 Act may be transferred from one agency or line-item to another during the fiscal year in
 35 accordance with the rules of the Judicial Budgetary Control Board, or as approved by the
 36 Supreme Court.

1 E. The adjustment to be made in the salaries of judicial employees and the number of
2 authorized positions of the judiciary shall be as decided by the judicial agency affected,
3 subject to the approval of the Judicial Budgetary Control Board or as approved by the
4 Supreme Court.

5 F. The program descriptions, general performance information and indicators, objectives,
6 goals, and mission statements contained in this Act are not part of the law and are not enacted
7 into law by virtue of their inclusion in this Act. The missions, goals, and objectives contained
8 in the Act are derived from performance standards established by Section 10 of Part G
9 General Administrative Rules of the Supreme Court of Louisiana.

10 G. The inclusion in this Act of staff salaries and benefits for lower court or other judicial
11 branch agency employees shall not be deemed to create or impose any obligation upon the
12 State of Louisiana Judicial Branch, the Supreme Court of Louisiana, the Judicial Budgetary
13 Control Board, or the Supreme Court Judicial Administrator's Office relative to the
14 administration of pay, retirement or other benefits to any such employees. Accordingly, the
15 State of Louisiana Judicial Branch, the Supreme Court of Louisiana, the Judicial Budgetary
16 Control Board, and the Supreme Court Judicial Administrator's Office are not to be
17 considered the "employer" or "employing agency" of lower court or other judicial agency
18 employees whose staff salaries and other benefits are included in this Act.

19 Section 3. This Act shall become effective on July 1, 2011; if vetoed by the governor and
20 subsequently approved by the legislature, this Act shall become effective on July 1, 2011, or
21 on the day following such approval by the legislature, whichever is later.

COMPARATIVE STATEMENT

In accordance with R.S. 39:51(D), the following represents a comparative statement for each Court and program. The operating budget for FY 2010-2011 is compared to the appropriations for FY 2011-2012 as contained in the original bill.

	Operating Budget	Appropriation Request
<u>Courts and Programs</u>	<u>FY 2010-2011</u>	<u>FY 2011-2012</u>
Supreme Court		
Total Supreme Court	\$59,325,841	\$65,500,908
Courts of Appeal		
Total Courts of Appeal	\$40,948,216	\$43,480,534
District Courts		
Total District Courts	\$41,349,133	\$42,251,191
Other Courts		
Total Other Courts	\$2,801,870	\$2,801,870
Other Programs		
Total Other Programs	<u>\$607,374</u>	<u>\$645,304</u>
Total State General Fund and Interagency Transfer		
All Line Items	<u>\$145,032,434</u>	<u>\$154,679,807</u>
Total Statutory Dedications	<u>\$9,325,904</u>	<u>\$9,497,651</u>
Total Funding	<u>\$154,358,338</u>	<u>\$164,177,458</u>

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Fannin

HB No. 608

Abstract: Appropriates funds for FY 2011-2012 for expenses of the Louisiana Judiciary, including the Supreme Court, courts of appeal, district courts, Criminal Court of Orleans Parish, juvenile and family courts, and other courts.

Appropriates funds for Fiscal Year 2011-2012 for the ordinary operating expenses of the judicial branch of government with total funding of \$164,177,458 from the following sources: \$154,679,807 out of the State General Fund (Direct); and, \$9,497,651 from statutory dedications out of the Judges' Supplemental Compensation Fund and the Trial Court Case Management Fund.

Funding for the ordinary operating expenses of the judicial branch of government is provided as follows:

(1)	Louisiana Supreme Court	\$ 74,998,559
(2)	Courts of Appeal	43,480,534
(3)	District Courts	34,143,082
(4)	Criminal Court, Parish of Orleans	5,765,523
(5)	Juvenile and Family Courts	2,342,586

(6)	Other Courts (Required by Statute)	2,801,870
(7)	Other Courts (Not Required by Statute)	<u>645,304</u>
	TOTAL	<u><u>\$164,177,458</u></u>

Effective July 1, 2011.